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ABSTRACT

The Mississippi Legislature's Joint Committee on Performance Evaluation and Expenditure Review (PEER) identified administrative and programmatic weaknesses in the Department of Corrections' associate degree and adult basic education programs administered by Coahoma Junior College for inmates. Related to the associate degree program, Coahoma had not charged fees to inmates accurately, had failed to provide textbooks to all students consistently and on a timely basis, and had failed to ensure that classes met state student-teacher contact time requirements. Coahoma's evening adult basic education program at the Parchman facility lacked key administrative controls such as adequate supervision of teachers, instructional quality control, monitoring the sufficiency of educational supplies, and providing managerial guidance. PEER determined that Department of Corrections employees who accepted positions as part of the Coahoma adult basic education evening program had violated state conflict of interest laws. (Author/CML)

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Report To The Mississippi Legislature

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AN INVESTIGATION OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS' EDUCATIONAL PROGRAMS

September 21, 1988

The Joint Legislative PEER Committee identified administrative and programmatic weaknesses with regard to the Department of Corrections' associate degree and adult basic education programs for inmates administered by Coahoma Junior College. Relative to the associate degree program, Coahoma has not charged fees to inmates accurately, has failed to provide textbooks to all students consistently and on a timely basis, and has failed to ensure that classes meet state student-teacher contact time requirements.

Coahoma's evening adult basic education program at Parchman lacks key administrative controls such as adequate supervision of teachers, instructional quality control, monitoring the sufficiency of educational supplies, and providing managerial guidance. PEER determined that Department of Corrections employees who accepted positions as part of the Coahoma Junior College adult basic education evening program have violated state conflict of interest laws.

The PEER Committee

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PEER: THE MISSISSIPPI LEGISLATURE'S OVERSIGHT AGENCY

The Mississippi Legislature created the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER Committee) by statute in 1973. A standing joint committee, the PEER Committee is composed of five members of the House of Representatives appointed by the Speaker and five members of the Senate appointed by the Lieutenant Governor. Appointments are made for four-year terms with one Senator and one Representative appointed from each of the U. S. Congressional Districts. Committee officers are elected by the membership with officers alternating annually between the two houses. All Committee actions by statute require a majority vote of three Representatives and three Senators voting in the affirmative.

An extension of the Mississippi Legislature's constitutional prerogative to conduct examinations and investigations, PEER is authorized by law to review any entity, including contractors supported in whole or in part by public funds, and to address any issues which may require legislative action. PEER has statutory access to all state and local records and has subpoena power to compel testimony or the production of documents.

As an integral part of the Legislature, PEER provides a variety of services, including program evaluations, economy and efficiency reviews, financial audits, limited scope evaluations, fiscal notes, special investigations, briefings to individual legislators, testimony, and other governmental research and assistance. The Committee identifies inefficiency or ineffectiveness or a failure to accomplish legislative objectives, and makes recommendations for redefinition, redirection, redistribution and/or restructuring of Mississippi government. As directed by and subject to the prior approval of the PEER Committee, the Committee's professional staff executes audit and evaluation projects obtaining information and developing options for consideration by the Committee. The PEER Committee releases reports to the Legislature, Governor, Lieutenant Governor, and agency examined.

The Committee assigns top priority to written requests from individual legislators and legislative committees. The Committee also considers PEER staff proposals and written requests from state officials and others.

AN INVESTIGATION OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS' EDUCATIONAL PROGRAMS

September 21, 1988

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The Mississippi Legislature

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September 21, 1988

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MEMBERS OF THE MISSISSIPPI STATE LEGISLATURE

At its meeting of September 21, 1988, the PEER Committee authorized release of its report entitled An Investigation of the Mississippi Department of Corrections' Educational Programs.

Senator Cecil Mills, Chairman

This report does not recommend increased funding or additional staff

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AN INVESTIGATION OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS' EDUCATIONAL PROGRAMS

EXECUTIVE SUMMARY

Background

The Mississippi Department of Corrections (DOC) has adult basic education, vocational education, and junior college programs at its facilities in Rankin County and Parchman.

The Rankin County facility's programs include:

- *adult basic education;
- *vocational programs; and,
- *associate degree program (administered by Hinds Community College).

The Parchman facility's programs are:

- *adult basic education (day program administered by DOC and evening program administered by Coahoma Junior College);
- *vocational program (administered by DOC in cooperation with Mississippi Delta Junior College); and,
- *associate degree program (also administered by Coahoma Junior College).

The DOC educational programs rely on one or more of the following funding sources:

1. *Student tuition from federal Pell Grants and Supplemental Educational Opportunity Grants*--The United States Department of Education awards these grants to undergraduate students demonstrating financial need, including associate degree program participants.

2. *Mississippi Board of Community and Junior Colleges*--Inmates are included in the number of full-time equivalent students used in determining the state funding allocation for Hinds Community College and Coahoma Junior College.

3. *The State Department of Education*--The Division of Vocational-Technical Education funds part of the DOC adult basic educational and vocational programs with state and federal funds.

4. *The DOC legislative appropriation*--DOC's appropriation funds DOC adult basic education and vocational programs, as well as providing the subsidy of the Coahoma Junior College program at Parchman.

Coahoma Junior College Associate Degree Program at Parchman

DOC inmate complaints concerning the Coahoma Junior College (CJC) programs at Parchman prompted an internal DOC investigation and eventually led to this PEER investigation.

CJC Response: CJC believes that the report is incomplete in that there are CJC programs at the Greenwood and Leflore County Restitution Centers which PEER did not consider. The college says that PEER reported only "facts that would cause an unfavorable view of the services the College has rendered to Parchman." CJC administrators state that they were never notified of any problem until this year when Parchman refused to pay CJC and the PEER investigation began. CJC concludes that the end result of the investigation could be an end to the CJC program at Parchman, with no other entity willing to offer a college or junior college program at Parchman.

PEER Comments on CJC Response: The existence of the restitution center programs, of which CJC did not inform PEER, does not alter any of the six findings nor the serious nature of the problems described.

PEER conducted an investigative or fraud audit, which is defined as "an examination specifically for the purpose of determining whether irregularities have occurred and, if so, their magnitude."

The objections that DOC did not notify CJC of a problem until this investigation and that the investigation's effect will be to discourage other institutions from offering similar services to DOC are not relevant to PEER's responsibility to report the facts.

CJC inaccurately charged inmate program participants in the past three school years.

CJC charged DOC inmate participants late registration, activity, and insurance fees, although inmates cannot attend activities, register late, or qualify for insurance. The overcharges for the last three school years totaled $14,839. CJC also undercharged most of the inmate participants for tuition for the same period (a total of $15,780), with a net undercharge for the three

years of at least $941. The overcharges and undercharges were the result of administrative errors and were not intentional attempts to improperly obtain additional funds. The unintentional effect of the charging errors is that CJC inmate program participants' accounts receivable balances are inaccurate.

CJC Response: **CJC states that in school years 1985-86, 1986-87, and 1987-88, CJC's "undercharges exceeded the overcharges" to the Parchman inmate participants in its junior college program. Further, CJC claims that, based on its schedule of permissible charges and the processes of obtaining Pell Grants and Supplemental Educational Opportunity Grants, "there was [sic] absoultely [sic] no improperly obtained federal aid funds at Coahoma Junior College." This refutes PEER findings that CJC intentionally overcharged inmates to improperly obtain additional funding and to distort accounting records. Also, the CJC administrators state that the publication fees charged to inmate program participants were justifiable because CJC publications encourage inmates to become productive members of society, thus reinforcing the rehabilitative process.**

PEER Comments on CJC Response: The PEER report does not state that CJC intentionally overcharged inmates, or that overcharges exceeded undercharges. The CJC response further verifies that the charges made to inmate's accounts were so inaccurate as to make such records virtually meaningless.

CJC failed to provide textbooks to inmate associate degree program participants in 61% of the classes taken by inmates which required textbooks in the 1987-88 school year.

CJC requires that the same textbook be used for courses in its Associate of Arts degree curriculum regardless of whether the courses are offered at the main campus or the satellite programs, including Parchman. CJC records and inmate program participant interviews indicate that in 61% of the classes taken by inmate participants in the 1987-1988 school year which required textbooks, inmates did not receive the textbooks. Additionally, of those texts which were provided, 70% were provided late.

CJC Response:

"The data presented for the determination made by PEER, as the investigators were told on the first day of their visit, was taken during a period when we were without a division administrator for continuing education. The divisional dean was killed in July and a replacement had not been found when school opened. This accounted for the failure to get textbooks in a timely manner during the fall of 1987. . . . Any other statement or conclusion about Coahoma's failure to deliver books to students is either deliberate or accidental error. . . ."

PEER Comments on CJC Response: The data presented in this finding was not taken merely during the fall 1987 semester. The finding addressed both the fall 1987 and spring 1988 semesters. There were serious textbook deficiencies both semesters. As further stated in the body of the finding, PEER also reviewed invoices for the 1985-86 and 1986-87 school years and found a similar failure to provide texts .

At least four CJC college courses at Parchman have failed to meet Mississippi Board of Community and Junior Colleges student-teacher contact time requirements.

Pursuant to MISS. CODE ANN. Section 37-4-3 (I), the Mississippi Board of Community and Junior Colleges adopts standards for the operation of the state's public junior colleges, including a student-teacher contact time requirement. Four CJC college classes at Parchman in the past two school years failed to meet the minimum student-teacher contact requirement established by the board. Additional evidence shows that the problem is greater than the four instances cited above. The ultimate effect of this failure is to diminish the instructional value of the courses and to devalue a state junior college Associate of Arts degree.

Recommendations

1. Coahoma Junior College should not automatically charge late, activity, insurance, and publication fees to Parchman inmate program participants. CJC should charge all inmate participants either as full-time day or, in the alternative, all as full-time night students.

2. DOC should solicit requests for proposals from interested state colleges/universities and junior colleges for programs at its facilities. These proposals should detail the various aspects of the program proposal and the total amount that the institution must receive to conduct the program. The proposal should then specify how much of the program cost will be paid from federal grants, state college funding formulas, and any additional money DOC would need to pay to accept the proposal.

3. The colleges or junior colleges which provide DOC college programs should determine the courses to be offered at the DOC facilities early enough to ensure that textbooks are available for inmate program participants at the beginning of each semester.

CJC Response: The college responded: "This recommendation [PEER recommendation number 3] infers that Coahoma's involvement with DOC programs be terminated. The Vice President for Instruction and Community Service Programs, the President, and the Board concur. If this, in fact, is the objective of PEER. [sic] The reader should not assume that this concurrance [sic] by any means suggest [sic] agreement with either PEER's tentative conclusion or mythodology [sic]."

Concerning the CJC junior college program at Parchman in general, CJC responded that its only guide for program operations was a cursory letter dated October 6, 1977, from Mr. Michael F. Widdon, DOC Associate Warden for Treatment. Given the lack of direction, CJC stated that the college operated in good faith to offer the services.

PEER Comments on CJC Response: Ending CJC's involvement at Parchman is neither PEER's objective nor inference from the recommendation listed above. PEER made the above recommendation to encourage competition among institutions providing college or junior college programs at Parchman, to require a written agreement for such an arrangement, and to present a clear picture of costs and sources of funding involved in each program.

PEER concurs in the lack of guidance as to authority and program operations in both the CJC junior college program and CJC ABE program at Parchman. To remedy this the report recommends detailed proposals and agreements for future college or junior college programs conducted at Parchman.

Coahoma Junior College Evening Adult Basic Education Program At Parchman

Two teachers in the CJC Adult Basic Education evening program at Parchman failed to be present for classes for which they were paid, resulting in an overpayment of $594 in the 1987-88 school term.

CJC began Adult Basic Education (ABE) evening classes at Parchman in 1985 in addition to the daytime ABE program, which is operated and funded by DOC at Parchman. Two of the six teachers in CJC's program failed to be consistently present for classes during the 1987-88 ABE term for which they were compensated. DOC records show that one teacher failed to be present for 14% and the other for 22% of the classes during this period. Despite these absences, the teachers submitted time sheets and were compensated at eleven dollars per hour for all hours, even for the hours they were absent. One teacher was overpaid $363 and the other $231. The lack of administrative oversight of the CJC ABE program created an environment conducive to such teacher behavior and has diminished the academic value of the ABE classes and created temporary security risks.

CJC Response: None.

The CJC ABE evening program lacks key elements of administrative control.

The CJC ABE evening program lacks key elements of administrative control such as adequate supervision of teachers, instructional quality control, monitoring the sufficiency of educational supplies, and providing managerial guidance for problems. Neither CJC nor its CJC ABE administrator/coordinator has claimed these responsibilities. The lack of administrative control was worsened because neither the CJC ABE secretary nor five of the six teachers were aware of the existence of a CJC ABE administrator/coordinator. Thus, whatever authority the CJC ABE administrator/coordinator did have was hampered by the fact that other personnel in the program were unaware of it. The lack of administrative control is the result of the manner in which the CJC ABE program evolved as an afterthought of the CJC junior college program at Parchman and of the lack of effective management by the CJC ABE coordinator/administrator.

DOC employees who accepted positions as part of the CJC ABE evening program violated MISS. CODE ANN. Section 47-5-47, which prohibits DOC employees from having an interest in any DOC contract, and Section 47-5-49, which requires approval by the DOC Commissioner of outside employment.

MISS. CODE ANN. Section 47-5-47 states: *"neither shall the commissioner, board members, or other officer or employee of the state correctional system be directly or indirectly interested in any contract, purchase or sale for or in behalf of or on account of the state correctional system."* MISS. CODE ANN. Section 47-5-49 states: *"The board, in the case of the comissioner, and the commissioner in the case of any other em-*

ployee shall receive prior notification and approve outside employment. . . ."

DOC entered into an agreement with CJC whereby CJC provided educational programs in return for $50,000. CJC the hired DOC employees to perform the educational services required by the agreement. All such DOC employees had at least an indirect interest in the DOC contract with CJC and none of the employees notified or obtained approval from the commissioner of DOC for the outside employment. PEER found circumstances which tend to lessen the culpability of any violation by the CJC ABE teachers and secretary, but did not find this to be the case with the Deputy Warden, who served as CJC ABE coordinator/ administrator.

CJC Response:

"Coahoma Junior College expresses deep concern to the statement included in the report regarding the Deputy Warden's interest. In a documented report, dated 24 March 1988, that the PEER [Staff] had access to, the Deputy Warden clearly outlines an "Educational Enhancement..." program that was educationally and professionally sound. There was not a need for PEER to make the inference they did relative to this proposal.

Further, Dr. Vivian Presley, a Coahoma Junior College employee, is uninvolved and should not be mentioned in the report. This statement is predicated on someone's feeling or some feeling someone intends to generate and motivate media persons to look for sensationism [sic] in reports rather than the facts."

PEER Comments on CJC Response: PEER makes no inferences in its report, but only states facts. PEER noted the position of the deputy warden's wife with CJC simply because the contract not only benefits the deputy warden, but also the institution of which his wife is a vice-president. PEER neither found nor infers any impropriety on the part of the deputy warden's wife.

Recommendations

1. The portion of the subsidy to CJC which is for the evening ABE program should be allocated to the DOC ABE program, which should administer evening classes and see that all teachers are present and performing duties and are employees of DOC.

2. The Commissioner of Corrections should direct his staff to take appropriate disciplinary action against department employees who violated department policies and state law, as documented in this report.

3. The Department of Corrections should direct the two teachers who were paid $363 and $231 respectively for hours they failed to work to repay these funds to the State Treasurer for restoration to the general fund.

4. The Department of Corrections should direct the Deputy Warden in violation of MISS. CODE ANN. Sections 47-5-47 and 47-5-49 to repay the $8,000 compensation (and any further compensation received after PEER fieldwork ended) received from Coahoma Junior College to the State Treasurer to be restored to the state general fund. Due to the mitigating circumstances of this matter, the department should warn all other Parchman employees involved in the CJC ABE program and require them to end their outside employment. In addition, the Ethics Commission should review the potential violations of conflict of interest laws and take appropriate action.

5. The PEER Executive Director should provide a copy of this report to the Mississippi Attorney General for appropriate action.

For More Information or Clarification, Contact:

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AN INVESTIGATION OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS EDUCATIONAL PROGRAMS

INTRODUCTION

Authority

At its meeting on April 1, 1988, the PEER Committee authorized an investigation of the educational programs of the Mississippi Department of Corrections (hereinafter referred to as DOC). The committee acted in accordance with MISS. CODE ANN. Section 5-3-57 (1972).

Scope and Purpose

PEER determined the scope of all DOC educational programs and focused on several aspects of the DOC educational programs operated by Coahoma Junior College (hereinafter referred to as CJC) which were the subject of DOC inmate complaints.

Methodology

In conducting this investigation, PEER:

1. Analyzed applicable state and federal laws;

2. Reviewed and analyzed DOC and CJC records and documents;

3. Interviewed appropriate staff and obtained information from DOC at the Parchman and Rankin County facilities, Mississippi Delta Junior College, Hinds Community College, Coahoma Junior College, the Mississippi Board of Community and Junior Colleges, and the Mississippi Department of Education.

DESCRIPTION AND FUNDING OF DEPARTMENT OF CORRECTIONS EDUCATIONAL PROGRAMS

Types of DOC Educational Programs

The DOC has three types of educational programs at its facilities in Parchman and Rankin County: adult basic education (ABE), vocational education, and associate degree programs. The goal of ABE is to teach the inmate the basic educational skills required to pass the General Educational Development (GED) examination, which is the functional equivalent of a high school diploma. ABE programs test the educational level of the inmate and then attempt to upgrade existing skills. Even if the inmate participants never obtain their GED, any improvement in skills is considered a worthwhile investment. The vocational programs are designed to teach inmates marketable job skills such as furniture upholstering or electrician skills. The associate degree programs allow inmates to pursue an Associate of Arts degree in order to enhance self-esteem, move into a higher socioeconomic level, and ultimately to alter lifestyles. See Exhibit 1, page 3 for a listing of educational programs offered at Department of Corrections facilities.

Rankin County Facility Educational Programs

The Rankin County Facility opened in March 1986 and began its educational programs in the fall of 1987 when the facility instituted an ABE program. The Rankin County Facility employs two ABE teachers with one teaching math, the other reading and language, and both alternately teaching a social studies class. The ABE teachers are required to have a bachelor's degree and a teacher's certificate. The inmate participation requirements for the program are that the inmate not have a high school diploma and be a non-violent offender. Since the Rankin County Facility operates its ABE program, the facility assumes all program responsibilities.

DOC at Rankin County initiated the establishment of the associate degree program at the Rankin County Facility because some of the inmates who came from Parchman to Rankin County had been involved in the CJC associate degree program. DOC and Hinds Community College do not have a written agreement concerning the associate degree program, but do have a clear understanding of their respective responsibilities. The Rankin Facility provides the facility, security, and assists with student registration. Hinds Community College registers students for classes and financial aid, selects teachers, ensures that books and supplies are obtained by inmate participants, and generally administers the entire program. In order to participate in the program, the inmate must have earned a high school diploma or GED. This program allows the student to take a maximum of six hours each semester.

The Rankin County Facility began its vocational education program in February 1988. The vocational program offers classes in upholstery, industrial sewing, life skills, machine shop, business and office skills, and welding. As with its ABE program, the Rankin County Facility operates its vocational educational program.

Exhibit 1

EDUCATIONAL PROGRAMS OFFERED AT DEPARTMENT OF CORRECTIONS FACILITIES

State Entity	Educational Program	Description	Funding Sources
Department of Corrections	Adult Basic Education Program-Rankin County	Employs two Adult Basic Education teachers who teach non-violent offenders not having a high school diploma.	Department of Corrections Mississippi Department of Education, Division of Vocational-Technical Education
Department of Corrections	Vocational Education Program-Rankin County	Teachers train inmates marketable skills such as upholstery, industrial sewing, business and office skills, and welding	Department of Corrections Mississippi Department of Education, Division of Vocational-Technical Education
Hinds Community College	Junior College Courses- Rankin County	Hinds Community College registers students for college classes and financial aid, conducts classes, and provides books & supplies. The Department of Corrections at Rankin County provides facilities, security, and assistance	Student Tuition - Inmate Pell Grants and Supplemental Educational Opportunity Grants Mississippi Board of Community and Junior Colleges
Department of Corrections	Day Adult Basic Education Program-Parchman	Department of Corrections at Parchman employs an administrator, counselors, and teachers for an Adult Basic Education program for Parchman inmates from 8 a.m. to 2:30 p.m. Monday through Friday	Department of Corrections Mississippi Department of Education, Division of Vocational-Technical Education
Department of Corrections	Day Vocational Education Program-Parchman	Department of Corrections employs a Director of Vocational Education who administers the program which teaches marketable vocational job skills and retrains inmates to keep pace with technological changes	Department of Corrections Mississippi Department of Education, Division of Vocational-Technical Education
Department of Corrections Mississippi Delta-Junior College	Evening Vocational Education Program-Parchman	Mississippi Delta Junior College selects teachers and completes required paperwork. The program teaches marketable vocational job skills and retrains inmates to keep pace with technological changes	Department of Corrections Mississippi Department of Education, Division of Vocational-Technical Education
Coahoma Junior College	Evening Adult Basic Education Program-Parchman	Employs an administrator, secretary, and six teachers to teach basic educational skills to inmates in terms beginning in October and ending in May with classes held from 3:00 to 7:00 p.m.	Department of Corrections subsidy Mississippi Department of Education, Division of Vocational-Technical Education
Coahoma Junior College	Junior College Program -Parchman	Provides teachers, supplies, and counseling necessary for inmates to pursue an Associate of Arts degree by taking courses at Parchman	Department of Corrections subsidy Student Tuition - Inmate Pell Grants and Supplemental Educational Opportunity Grants Mississippi Board of Community and Junior Colleges

SOURCE: Department of Corrections, Mississippi Department of Education, Coahoma Junior College, and Mississippi Delta Junior College

Parchman Educational Programs

As at the Rankin County Facility, Parchman has vocational, ABE, and associate degree programs. The Parchman facility has both day and evening vocational programs. DOC at Parchman has a Director of Vocational Education who is responsible for the administration of the day vocational program at Parchman. The Department of Corrections and Department of Education Division of Vocational-Technical Education fund the Parchman day vocational education program. The evening vocational education program at Parchman is provided through a joint effort with Mississippi Delta Junior College. In addition to teaching inmates marketable skills, the program retrains inmates to keep pace with technological changes. Mississippi Delta Junior College simply selects teachers and provides paperwork required by the state Department of Education. Parchman provides classroom facilities, security, and establishes criteria for the selection of program participants for the evening program.

Parchman has both a daytime and an evening ABE program. The day ABE program is administered by DOC and the evening program by CJC. The daytime DOC ABE program began in 1971 and (as shown in Exhibit 2, page 5) consists of a School Administrator who supervises Coordinators who function as school principals, supervising ABE teachers. The School Administrator (or Director of Academic Education, which is the functional title used at Parchman) reports to the Deputy Superintendent of DOC at Parchman. The only criterion for participation in the day ABE program is that the inmate not be categorized as a "lockdown," an offender who is considered more dangerous or violent.

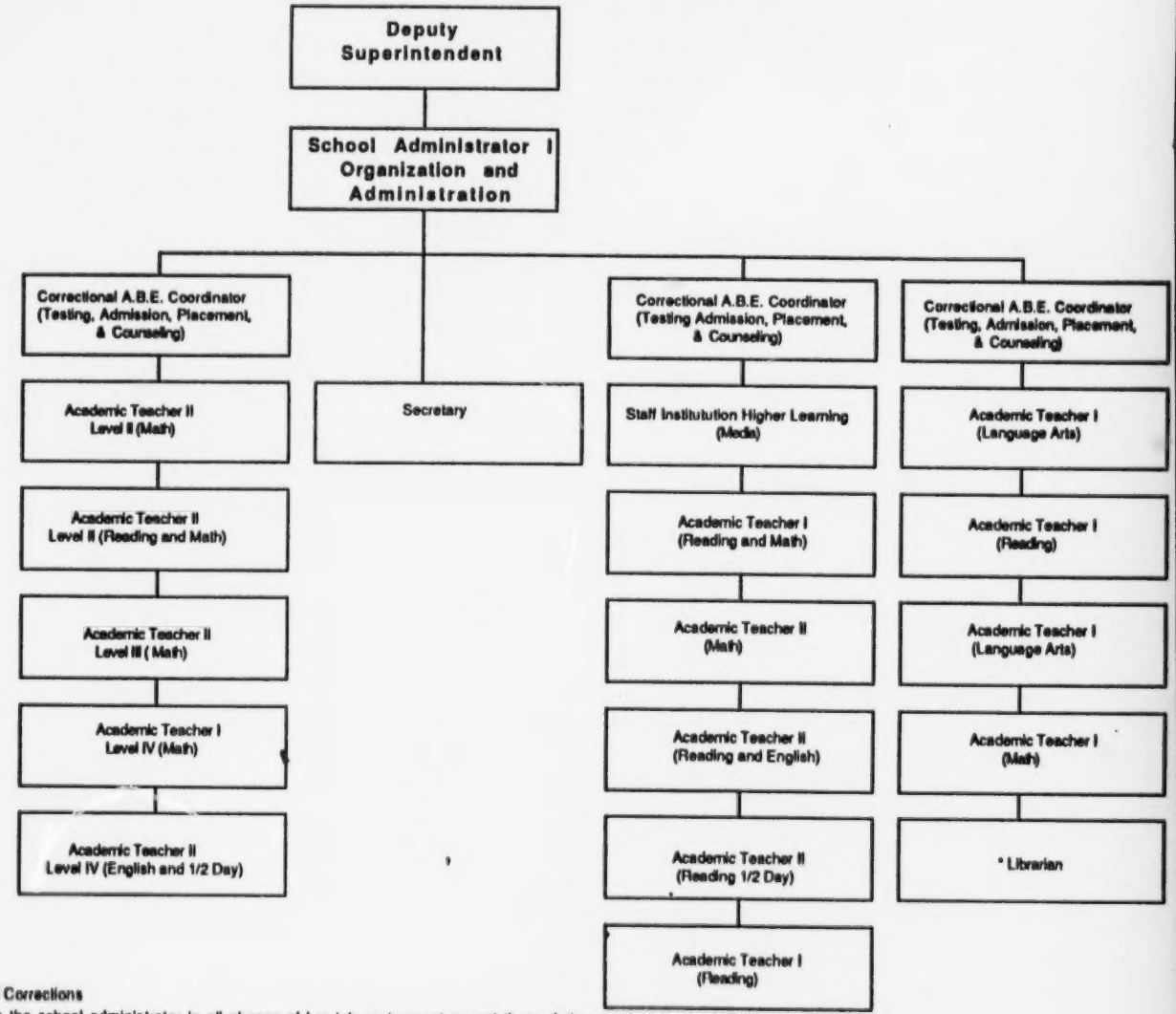
Coahoma Junior College Educational Programs At Parchman

CJC operates two programs for inmates at Parchman: the associate degree program and the evening ABE program. Both programs are administered by the CJC Continuing Education Department which is under the authority of the CJC Vice President for Instructional & Community Services as shown on the CJC organizational chart in Exhibit 3, page 6. There is no written agreement between CJC and DOC for either of these programs, both of which developed by increments over a period of years.

CJC Associate Degree Program at Parchman--The CJC associate degree program began in 1977 when the Director for Continuing Education discussed the possible benefits of an associate degree program with the DOC Director of Treatment at Parchman. The CJC President brought the matter before the CJC Board which approved the program. At this point, the only funding CJC received for the program was federal Pell Grants obtained by inmate participants and from the state junior college system funding formula (see description of program funding beginning on page 7.) In 1983, CJC felt that it was not receiving adequate funding to cover the costs of the associate degree program at Parchman. The President of CJC then met with the Commissioner of DOC and members of the Legislature to explain the benefits of the program and the need for additional funding. The Legislature subsequently provided a subsidy for the CJC associate degree program at Parchman in the DOC budget which DOC paid to CJC. In 1983 the subsidy was $25,000, and by fiscal year 1988 the Legislature had increased it to $50,000 (see Exhibit 6, page 12 for a list of the subsidies for each fiscal year.)

EXHIBIT 2

DEPARTMENT OF CORRECTIONS
ADULT BASIC EDUCATION PROGRAM
ADMINISTRATIVE STRUCTURE

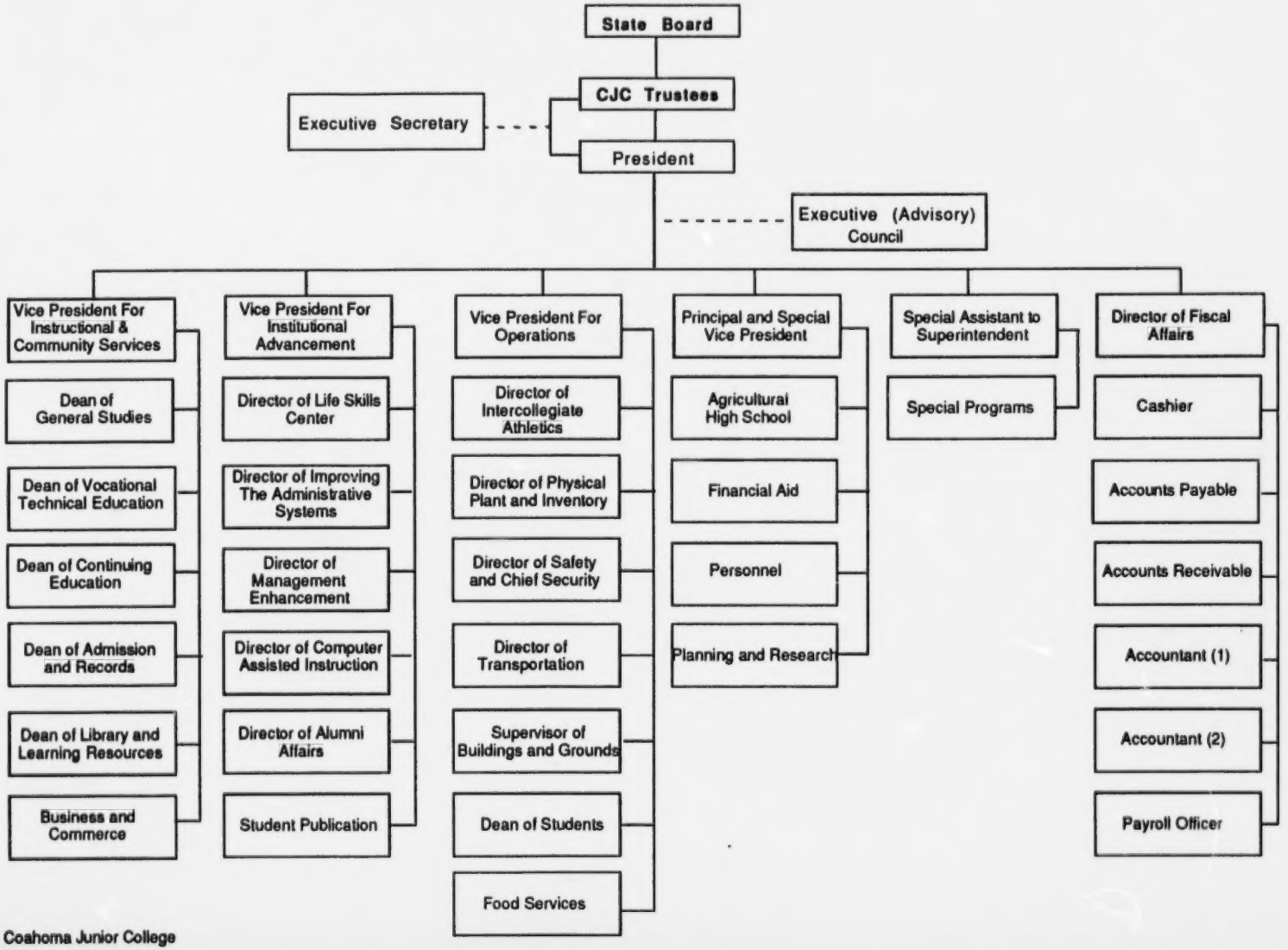

Deputy Superintendent
School Administrator I Organization and Administration
Correctional A.B.E. Coordinator (Testing, Admission, Placement, & Counseling)
Academic Teacher II Level II (Math)
Academic Teacher II Level II (Reading and Math)
Academic Teacher II Level III (Math)
Academic Teacher I Level IV (Math)
Academic Teacher II Level IV (English and 1/2 Day)
Secretary
Correctional A.B.E. Coordinator (Testing Admission, Placement, & Counseling)
Staff Institution Higher Learning (Media)
Academic Teacher I (Reading and Math)
Academic Teacher II (Math)
Academic Teacher II (Reading and English)
Academic Teacher II (Reading 1/2 Day)
Academic Teacher I (Reading)
Correctional A.B.E. Coordinator (Testing, Admission, Placement, & Counseling)
Academic Teacher I (Language Arts)
Academic Teacher I (Reading)
Academic Teacher I (Language Arts)
Academic Teacher I (Math)
* Librarian

SOURCE: Department of Corrections

* The librarian reports to the school administrator in all phases of her job assignment except those duties required by the MS. Library Commission

EXHIBIT 3

COAHOMA JUNIOR COLLEGE AND AGRICULTURAL HIGH SCHOOL
ADMINISTRATIVE STRUCTURE



SOURCE: Coahoma Junior College

The CJC associate degree program at Parchman allows inmates to pursue the same Associate of Arts degree that other CJC graduates receive. The degree requirements and required textbooks are the same for students at the CJC main campus and inmate students at Parchman. DOC at Parchman screens potential program participants by administering the Otis-Lennon School Ability Test. After the Parchman screening, CJC further requires that all participants have a high school diploma or a GED certificate. CJC requires teachers in the CJC associate degree program at Parchman to have undergraduate and master's degrees. When CJC cannot find a teacher with a master's degree, it will use a teacher with only a bachelor's degree.

As shown in Exhibit 4, page 8, in the 1987/1988 school year the CJC associate degree program consisted of a secretary and four instructors. CJC is responsible for providing instructors, registering students for classes and financial aid, selecting classes to be offered, providing textbooks, and advising students. DOC at Parchman is responsible for selecting the inmate participants, assisting with inmate registration, and providing classroom facilities and security.

CJC ABE Program at Parchman--During the development of the associate degree program, the CJC ABE evening classes were initiated as part of the agreement whereby DOC paid the above described subsidy to CJC. In 1985, DOC employees noticed a decrease in the enrollment in the CJC associate degree program at Parchman. DOC informed CJC that it expected CJC to provide evening ABE classes as part of the CJC services rendered to receive the annual subsidy from the Legislature through DOC. The resulting CJC ABE evening program consists of one term each fiscal year, which includes 150 teaching hours beginning in October and ending in May.

The CJC ABE evening program as shown in Exhibit 5, page 9, consists of an Administrator/Coordinator over a secretary and six ABE teachers. CJC selects personnel for these positions and administers all payroll matters. The persons chosen to fill these positions are already employed by DOC and either work for CJC after their normal DOC work hours or through a flex time arrangement with DOC. DOC at Parchman is responsible for testing the evening program's GED applicants and reporting information to the state Department of Education. Additionally DOC must provide facilities and security for the evening ABE classes.

Funding For DOC Educational Programs

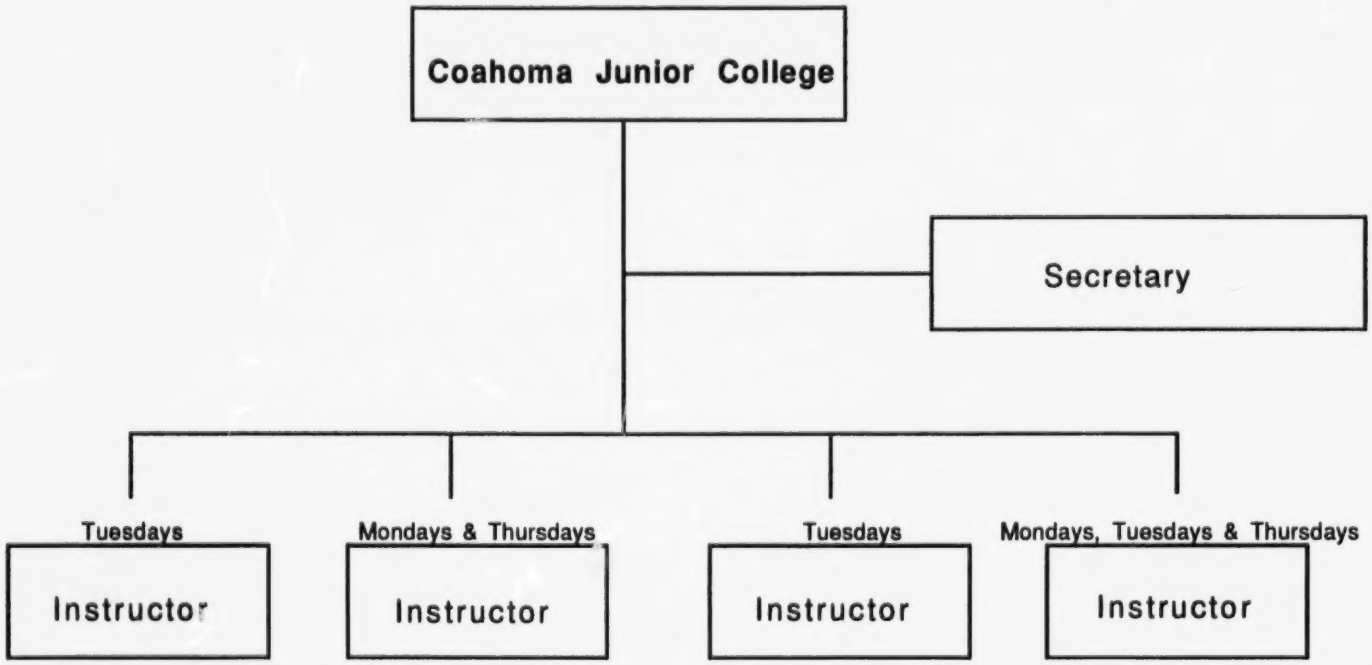
The DOC educational programs rely on four funding sources: federal grants, Mississippi Board of Community and Junior Colleges, the state Department of Education, and the DOC appropriation. Each of the educational programs at DOC facilities is funded by one or more of these sources.

Federal Grants

The federal grants consist of Pell Grants and Supplemental Educational Opportunity Grants which provide financial assistance for educational costs to undergraduate students who demonstrate a financial need. Pell Grants

EXHIBIT 4

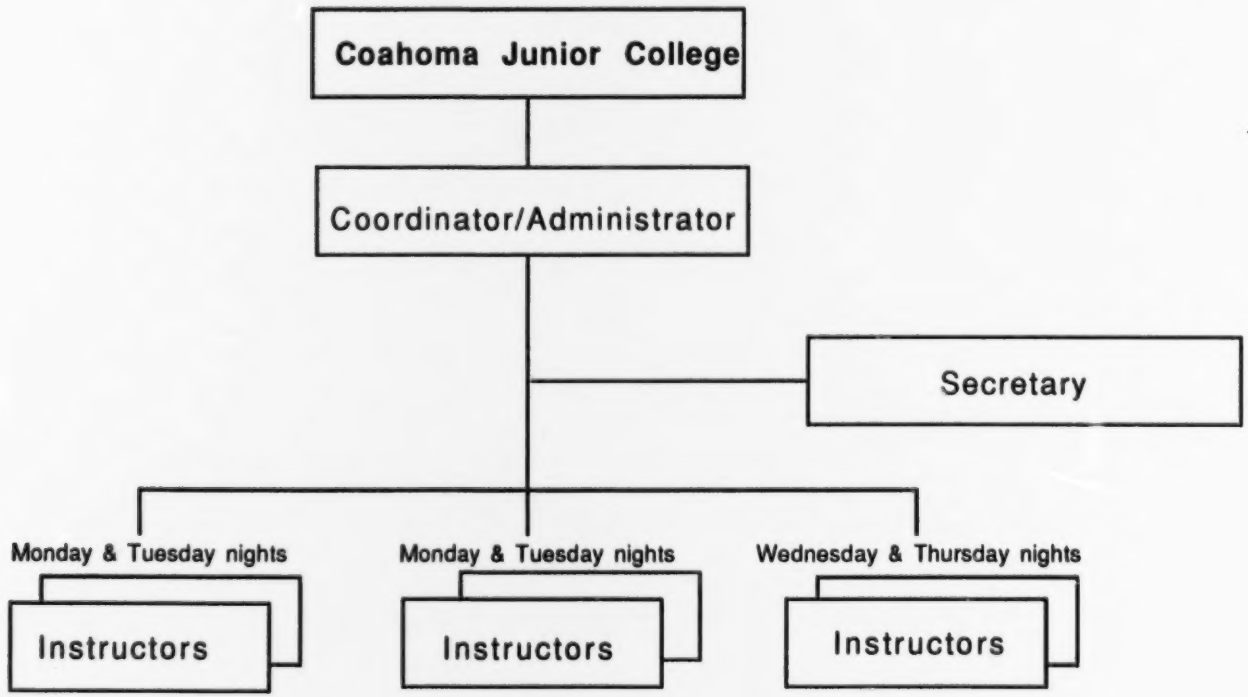
1987-88 ORGANIZATION CHART FOR COAHOMA JUNIOR COLLEGE
ASSOCIATE OF ARTS DEGREE AT PARCHMAN



SOURCE: Coahoma Junior College Program at Parchman

EXHIBIT 5

1987-88 ORGANIZATION CHART FOR COAHOMA JUNIOR COLLEGE
ADULT BASIC EDUCATION PROGRAM AT PARCHMAN



SOURCE: Coahoma Junior College Program at Parchman

may be used at the postsecondary (post high-school) school of the student's choice as long as the student is enrolled in at least a half-time course of study. Pell Grants range from $200 to $2000 with the exact amount dependent on the U.S. Department of Education's determination of the applicant's need. However, incarcerated students are limited to a certain amount per year, the current annual amount being $630. In addition to the Pell Grant, students demonstrating the greatest financial need may receive a Supplemental Educational Opportunity Grant. Although the student can receive up to $4000 annually, Parchman students have been receiving $300 yearly when they obtain these grants.

Mississippi Board for Community and Junior Colleges

The second funding source is the Mississippi Board for Community and Junior Colleges which funds the colleges a certain amount for each full-time academic and technical junior college day student, full-time vocational students, full-time equivalent students, and nursing students enrolled and in attendance at the college. The board staff audits the community or junior colleges annually and determines the number of enrolled and attending students, including inmate students. The numbers obtained from the audit are used to determine each community or junior college's funding allocation. The board distributes monthly installments to public junior and community colleges based on enrollment as of the last day of the sixth week of the fall semester. Because the inmate students are not enrolled at a main campus or a board-approved academic center, they are categorized as full-time equivalent students, which bring less funds to the college than a full-time day student.

Department of Education Funding

The third funding source is the state Department of Education, Division of Vocational-Technical Education. The educational programs at DOC facilities at Rankin County and Parchman receive federal and state funds through the state Department of Education for ABE and vocational programs. The state Department of Education receives funding from the U.S. Department of Education for ABE programs educating neglected and delinquent persons under twenty-one years of age who have not completed their high school education.

Legislative Appropriation

The final funding source is the DOC appropriation. The appropriation includes funding for educational programs operated by DOC directly and a subsidy for the CJC educational programs. The Rankin County Facility ABE and vocational programs and the Parchman day ABE program are funded through the DOC appropriation and reimbursements from the state Department of Education. The vocational program operated at Parchman is funded by the same sources with the exception that Mississippi Delta Junior College pays a small part of the program costs. The associate degree program operated by Hinds Community College at the Rankin County Facility is funded only by the federal grants obtained by the inmate participants and the Mississippi Board of Community and Junior Colleges.

Funding for CJC/Parchman Programs

The CJC associate degree program at Parchman is funded through three of the sources described in this section. For each of the past four fiscal years CJC has received a subsidy for its programs at Parchman through the DOC budget (see Exhibit 6 page 12.) This subsidy funds both the CJC associate degree and ABE programs. Neither the Legislature, DOC, nor CJC have determined how much of the subsidy is to go to the associate degree program or to the ABE program. It is understood by all parties that the subsidy funds both programs to some extent. CJC also receives funding for its associate degree program through inmate participants' Pell Grants and Supplemental Educational Opportunity Grants. Additionally, each inmate participant is included in the full-time equivalent student in the enrollment figures used in the Mississippi Board of Community and Junior Colleges' formula distribution. Finally, the CJC ABE program is funded through part of the subsidy described above. Exhibit 7 page 13 details CJC's educational program funding for the past three years.

EXHIBIT 6

Appropriated Subsidy To Coahoma Junior College for Parchman Education Programs *

School Year (Sept-May)	Amount Received
1983-84	$ 25,000
1984-85	25,000
1985-86	50,000
1986-87	50,000
1987-88	25,000 **
1988-89	0

* As explained on page 10, the subsidy has been included in the Department of Corrections budget to compensate Coahoma Junior College for its educational programs at the Parchman correctional facilities

** The original amount included in the DOC appropriation was $50,000. After PEER's investigation began DOC withheld its final $25,000 payment

SOURCE: Coahoma Junior College

EXHIBIT 7

FUNDING FOR COAHOMA JUNIOR COLLEGE PROGRAMS AT PARCHMAN

	FY 1986	FY 1987	FY 1988
Federal Grants	$ 27,095	$ 30,960	$ 40,708
Junior College Funding Formula	39,012	31,824	31,142
Subsidy in Department of Corrections Budget	50,000	50,000	25,000*
Mississippi Department of Education, Division of Vocational-Technical Education	1,890	990	1,780
TOTAL	$117,997	$113,774	$98,630

*The original amount included in the Department of Corrections appropriation was $50,000. After PEER's investigation began DOC withheld its final $25,000 payment.

SOURCE: Coahoma Junior College; the Mississippi Board of Community and Junior Colleges

DOC inmate complaints concerning the CJC educational programs at Parchman prompted a DOC investigation and eventually this review. PEER fieldwork focused on determining the merit of the complaints. PEER did not review any other CJC programs. The need for ABE among inmates is great and many of the teachers in the CJC ABE evening program and other CJC employees appear dedicated and effective. Other DOC educational programs at Parchman appear to be functioning effectively. However, the findings described below show serious problems in the CJC educational programs at Parchman which call into question the educational value of the programs.

Coahoma Junior College Associate Degree Program at Parchman

CJC inaccurately charged inmate program participants in the past three school years.

CJC Fee Assessment Process--CJC charges its students a variety of fees which are due and payable each semester. CJC assesses these fees according to whether the student is classified as from within or without the CJC funding district, in-state or out-of-state, a day or evening student, or a boarding or commuting student. See Exhibit 8, page 15 for a list of these fees along with the amount and purpose of each.

In assessing these fees, CJC uses a computerized accounts receivable charging system. When students register, whether on-campus or off-campus at one of the satellite teaching centers such as Parchman, they complete transaction sheets. CJC personnel then enter the information from the transaction sheets into the accounts receivable charging system at the CJC registrar's office which automatically generates the fees charged to the students. CJC charges all full-time students an activity fee each semester and a publication fee in the fall semester. CJC charges all full-time day students an insurance fee. All students whose transaction sheets are entered into the system after the registration deadline date are automatically charged a late registration fee. Once in the accounts receivable system, CJC charges all fees against credits made to the student accounts. For DOC inmate program participants, the only credits made are funds from Pell Grants and Supplemental Educational Opportunity Grants (see page 7 for description of these grants).

Incorrect CJC Fees--CJC has incorrectly charged DOC inmate participants in the CJC associate degree program late registration, activity, and insurance fees. According to the Director of Fiscal Affairs and the Director of Financial Aid, CJC should never charge DOC inmate program participants late registration, activity, or insurance fees. This is because incarcerated inmates cannot attend activities, cannot be late to register inasmuch as CJC personnel travel to Parchman to register all participants, and do not qualify for student insurance. Despite this, CJC charged inmate program participants from the Fall 1985 through the Spring 1988 semesters (for which records were available) late registration, activity, and insurance fees totaling at least $15,780.

EXHIBIT 8

1986-1988
COAHOMA JUNIOR COLLEGE FEES

FEE DESCRIPTION	AMOUNT
Tuition (day student) per semester	$ 300.00
Tuition, evening student ($30 per sem. hrs. x 12 hrs.)	360.00
Registration Fee, per semester	25.00
Off-Campus Fee , per semester	35.00
Activity Fee, per semester	25.00
Publication Fee, per semester	50.00
Late Registration Fee, per semester	25.00
Room Deposit, per semester	75.00
Schedule Change, per semester	3.00
Audit Fee, per semester	20.00
Part-time Fee, per semester	30.00
Transportation Fee, per semester	100.00
Student Insurance, per semester	18.45

SOURCE: Coahoma Junior College 1987-89 Catalog

However, during this same period, CJC often incorrectly categorized Parchman inmate program participants as full-time day rather than full-time evening students, resulting in some tuition undercharges. CJC charges full-time day students a flat rate of $300 for twelve hours credit per semester, but charges full-time night students $35 per hour, amounting to $360 per semester for twelve hours credit. CJC records show that CJC charged most Parchman inmate participants in the associate degree program $300 while charging other participants $360 for tuition each semester. Thus, CJC undercharged some inmate participants for tuition during the period beginning in the Fall of 1985 and ending in the Spring of 1988. The total amount of the undercharge was at least $15,720. Based on the analysis in the accounts receivable PEER found that CJC overcharged $15,780 and undercharged $14,839, for a net undercharge of $941.

Accounts receivable balances for DOC inmate program participants are eventually written off to the fund in which the state appropriation to DOC for the CJC Parchman programs is credited. Even though the fees charged are applied to credits resulting from inmate Pell and Supplemental Educational Opportunity Grants, historically the fee charges have exceeded the credits. These lingering balances are eventually written off and the inmate/student's balance is reduced to zero. When inmate program participant balances are so credited, the CJC General Fund is debited or charged. Additionally, the CJC Adult Basic Education Fund, the fund into which the annual state appropriation to DOC for the CJC programs is deposited, is credited or deposited into the general fund at the end of the fiscal year. Thus, the theory is that inmate program participant balances are credited or paid from the state appropriation to DOC for CJC programs at Parchman.

Effect of CJC Incorrect Charges--Although the incorrect charges have been unintentional and have not increased the cost to the state or the inmates, the effect of the incorrect charges has been for CJC to create confusion in its accounting system. Of the eight types of fees which were charged, CJC applied six incorrectly. The result has been that most inmate participants' accounts receivable balances are inaccurate.

The reasons for the current state of incorrect charging are computer program weaknesses, business office failures, and the lack of adequate administrative oversight. PEER did not find that CJC had intentionally made inaccurate charges. The overcharges and undercharges were the unintentional effect of the above-cited administrative errors. Overall the current accounts receivable charging system is a good system and CJC has a competent systems analyst overseeing the system. However, the system often automatically charges fees which should not be charged, such as late registration and activity fees. The business office has the responsibility for detecting and correcting these improper charges. CJC has had four Directors of Fiscal Affairs in the past four years and those in the business office have failed to correct such charging errors as they have occurred. CJC states that the Parchman inmate program participants are a unique category of student which makes the charging process more difficult. However, when inmate participants have written concerning the inappropriate charges, administrative personnel failed to see the situation was corrected.

CJC failed to provide textbooks to inmate associate degree program participants in 61% of the classes taken by inmates which required textbooks in the 1987-88 school year.

CJC requires that the same textbook be used for courses in its Associate of Arts degree curriculum regardless of whether the courses are offered at the main campus or the satellite programs, including Parchman. The associate degree offered to inmates at Parchman through the CJC program is the same Associate of Arts degree program offered at the CJC main campus. The course requirements are the same and the textbooks required for each course are identical.

CJC follows established invoice and billing procedures when it distributes textbooks to DOC inmate program participants. The President of CJC and the Director of the Continuing Education program at CJC state that inmate program participants should receive all required textbooks. CJC personnel have the responsibility of picking up the necessary books from the CJC bookstore and distributing them to the inmate program participants, who sign invoices demonstrating such receipt. All books distributed to inmate participants generate these invoices. Each invoice has three copies: one each for the student, the CJC bookstore, and the CJC business office. When the business office receives its copy of the invoice, the invoice is filed in the inmate program participant's accounts receivable file and the amount is charged to the inmate's account.

When CJC's supply of textbooks is insufficient to meet the needs of the inmate program participants, CJC orders additional books. Each instructor for CJC classes, whether offered on the main campus or at a satellite branch, estimates the number of textbooks which should be ordered for each class and forwards that information to the bookstore which in turn orders the textbooks. The supply of textbooks is distributed on a first come, first serve basis. If other CJC students purchase the books before the requisite number of textbooks can be taken to Parchman, then the bookstore reorders additional books, which take from four to six weeks to arrive. The books are then distributed to the inmate program participants and sold to other CJC students who were unable to purchase a book. The Continuing Education courses to be offered in each school semester, including the junior college courses offered at Parchman, are often not determined until three weeks prior to the beginning of classes. This makes it difficult to order books in a timely manner.

Despite the above-described procedures, records and inmate interviews demonstrate that CJC did not provide required textbooks to all the inmate associate degree program participants. PEER initially examined this area because of inmate complaints of lack of textbooks. Upon examining invoices in the CJC bookstore and business office, PEER found that in 61% of the classes taken by inmate participants in the 1987/1988 school year which required textbooks, inmates did not receive the textbooks. Additionally, of those texts which were provided, 70% were provided late. In effect, during the 1987/1988 school year, of the classes taken by inmates which required a textbook, only 11% received a textbook on time. Further, PEER interviewed approximately one third of the inmate participants in the 1987-88 program to ascertain their statements as to the textbooks received. The results from each of these three sources were virtually identical. Invoices from the 1986-87 and the 1985-86 associate degree programs

demonstrate the same problem with lack of textbooks provided to inmates. In the spring 1988 semester, the CJC junior college teacher who taught World Literature used Bibles provided by Gideons International as sources of literature for inmates for several weeks until CJC provided World Literature textbooks. PEER did not find that inmates were being charged for books never received, but that inmates never received nor were charged for required textbooks for courses taken.

The reasons for the lack of textbooks are CJC's poor planning in ordering books and administrative failures. Given that most of the inmate program participants who will take upper level courses are at Parchman, CJC could determine earlier the upper-level courses to be offered and estimate the books to be needed more efficiently. CJC could also base entry-level course book requirements on enrollment numbers from prior semesters and estimate textbooks which would be needed earlier and more efficiently. The secretary working with the CJC program at Parchman and two of the junior college instructors stated that they had repeatedly informed CJC of the lack of textbooks and requested that the situation be remedied. The Continuing Education Department's failure to rectify the problem after teachers brought the matter to its attention represents an administrative failure. The lack of textbooks diminishes the instructional value of the junior college courses for inmate participants.

<u>At least four CJC college courses at Parchman have failed to meet Mississippi Board of Community and Junior Colleges student-teacher contact time requirements.</u>

CJC is responsible for complying with national and state standards in the operation of its associate degree program. All of Mississippi's public junior colleges have acquired regional accreditation by the Southern Association of Colleges and Schools (SACS) by complying with SACS accreditation standards. Additionally, MISS. CODE ANN. Section 37-4-3 (1) vests authority in the Mississippi Board of Community and Junior Colleges to adopt standards for the operation of the state's public junior colleges. The board standards are supplemental to SACS standards and govern specific situations usually not addressed by SACS.

At least four CJC college classes taught at Parchman in the past two school years have failed to meet board student-teacher contact time requirements. Standard VII B. (2) states the quantitative requirement that a *"semester hour is defined as a minimum student-teacher contact of 750 minutes for lecture, and 1500 minutes for laboratory...."* Class roll records as verified by interviews with teachers demonstrate that this requirement was not met in at least two CJC Parchman classes in the spring of 1987 and two classes in the spring of 1988. These classes were lecture courses for three semester hours credit and each was scheduled to meet one day per week for three hours, or 180 minutes. The total number of class meetings multiplied by 180 minutes for each class, showing the total student-teacher contact minutes for each class, is listed on page 19.

Class	Class Meetings		Class Time	Total
#1	10	x	180 minutes =	1800 minutes
#2	10	x	180 minutes =	1800 minutes
#3	12	x	180 minutes =	2160 minutes
#4	12	x	180 minutes =	2160 minutes

The board's minimum student-teacher contact requirement for a three-hour lecture class is, according to the standard cited above, 2250 minutes.

Additional factors indicate that this problem is greater than the four instances cited above. The first of these factors is that one of the teachers of two of the classes cited above stated that generally classes did not last for the full 180 minutes. The teacher frequently waited up to an hour of class time for inmates to be transported to classroom facilities. Therefore, the already below minimum student contact time in this class was actually lower. Another factor is that the teachers of the four classes cited above had fewer class meetings than the other CJC classes' roll books indicate because they did not begin class meetings until the last week of February during the spring semesters in 1987 and 1988. Records as verified by personnel at Parchman show that in the spring 1988 semester no CJC junior college classes at Parchman began before the last week of February despite evidence to the contrary in the other CJC teacher roll books. This demonstrates that other classes met with about the same frequency as those which fell short of minimum student-teacher contact requirements.

Furthermore, PEER found evidence that at least one roll book had false entries, giving the appearance that class had begun prior to the last week in February when it actually had not. Finally, Parchman records show 18 instances of CJC teachers missing classes with no substitute teacher during the Fall 1987/Spring 1988 semesters. Given these factors, the problem of meeting minimum student-teacher contact hours is probably much greater than that of the four classes cited.

The effect of the failure to meet the student-teacher contact requirement is twofold. First, it diminishes the instructional value of CJC courses to inmate program participants. Secondly, it devalues the benefit of a state junior college Associate of Arts degrees by awarding degrees to those who have not earned the educational achievements represented by the degree.

Recommendations

1. Coahoma Junior College should not automatically charge late, activity, and publication fees to Parchman inmate program participants. CJC should charge all inmate participants either as full-time day or in the alternative all as full-time night students.

2. DOC should solicit Requests For Proposals from interested state colleges/universities and junior colleges for programs at its facilities. These proposals should detail the various aspects of the program proposal and the total amount that the institution must receive to conduct the program. The proposal should then specify how much of the program cost will be paid from federal grants, state college

funding formulas, and any additional money DOC would need to pay to accept the proposal.

3. The colleges or junior colleges which provide DOC college programs should determine the courses to be offered at DOC facilities early enough to ensure that textbooks are available for inmate program participants at the beginning of each semester.

Coahoma Junior College Evening Adult Basic Education Program At Parchman

Two teachers in the CJC Adult Basic Education evening program at Parchman failed to be present for classes for which they were paid resulting in an overpayment of $594 in the 1987-88 school term.

As described on page 7, CJC began Adult Basic Education (ABE) evening classes at Parchman in 1985 in addition to the daytime ABE program which is operated and funded by DOC at Parchman. The purpose of ABE classes is to teach basic educational skills to inmates that will enable them to obtain a degree equivalent to a high school diploma. As shown in Exhibit 5, page 9, the CJC ABE program has three classes, each having two teachers who team teach. Each class is divided into two teams with one teacher teaching math and the other English. At the mid-point of each class period, the team teachers switch class teams so that each team spends half of its time in math and half in English class. CJC ABE class terms should begin in October, end in May, and include at least 150 hours of instructional time. During the session that ended in May 1988, two of the three classes met on Monday and Tuesday nights while the remaining class met on Wednesday and Thursday each week, each class meeting from 3:30 p.m. to approximately 7:00 p.m. The teachers are paid on an hourly basis at the rate of eleven dollars per hour and submit their hours to CJC on a monthly basis.

Two of the six teachers, Willie Simmons and Samuel Jones, failed to be consistently present for classes during the 1987-88 ABE term for which they were compensated. At the beginning of the school term the two CJC ABE teachers in question who had been teaching at a separate location at Parchman were moved to another location where two other CJC ABE teachers were already teaching. As the term progressed, the CJC ABE teachers which had been teaching at that location and DOC security personnel began to notice that either one or both of the CJC ABE teachers new to that location failed to be present for classes. DOC records show that Mr. Jones failed to be present for 14% and Mr. Simmons for 22% of the classes during this period. Despite these absences, the teachers submitted time sheets and were compensated at eleven dollars per hour for all hours, even for the hours they were absent. One teacher was overpaid $363 and the other $231. The teachers who missed the classes stated that if one teacher missed class, the other teacher would teach both classes and that they felt they should still receive compensation because the inmate students did receive instruction. However, both the President of CJC and the coordinator of the CJC ABE program state that CJC ABE teachers should be paid only for the hours actually worked.

The lack of administrative oversight of the CJC ABE program created an environment conducive to such teacher behavior which has diminished the academic value of the ABE classes and created temporary security risks.

The lack of administrative control (described in detail in the finding beginning on page 21), by the coordinator/administrator of the CJC ABE program at Parchman and the CJC Continuing Education department created a situation where teachers could miss classes without the knowledge of either CJC or the coordinator/administrator. The result of the teachers' absences is that in over 40% of the class meetings the student/teacher ratio was doubled and one teacher taught both English and math. The teacher absences also disrupted the continuity of instructors in these two instructional areas. This reduced the academic value of the class to the inmate participants. Further, on the occasions where both teachers failed to be present, they left inmates unsupervised, creating a security risk.

The CJC ABE evening program lacks key elements of administrative control.

The CJC ABE evening program lacks key elements of administrative control such as adequate supervision of teachers, instructional quality control, monitoring the sufficiency of educational supplies, and providing managerial guidance for problems. As described on page 7, CJC perceives its role with the evening ABE program to be handling payroll functions and selecting teachers. The program has a coordinator/administrator and a secretary to whom CJC leaves the program administration. The CJC ABE program administrator/coordinator is Dwight Presley, a Deputy Warden at Parchman, who receives as compensation from CJC $3,000 per ABE session (each session begins in October and ends in May.) The CJC ABE secretary works for DOC at Parchman during the day and conducts all CJC ABE secretarial duties after DOC working hours. The CJC ABE administrator/coordinator perceives the role of this position to entail coordinating all functions which CJC does not have authority to perform, such as selecting teachers, setting up inmate transportation and classroom facilities, and obtaining supplies. Thus, both CJC and its CJC ABE administrator/coordinator feel responsible for selecting teachers, while neither perceives supervising teachers, monitoring instructional quality control, or actually managing the other day-to-day affairs of the program as their duty.

The lack of administrative control was worsened because neither the CJC ABE secretary nor four of the six teachers were aware of the existence of a CJC ABE administrator/coordinator. The Deputy Warden who holds the position of CJC ABE administrator/coordinator has traditionally been in charge of Parchman's responsibilities with the CJC associate degree program. When the CJC ABE program began in 1985, the Deputy Warden assumed responsibilities for the CJC ABE program which are similar to those already performed of the CJC associate degree program, yet accepted the official position of administrator/coordinator and considered all work done for the CJC ABE program as done on personal time. The Deputy Warden recruited the teachers and the secretary and set up the program without explaining that the Deputy Warden would hold the position of administrator/coordinator or what that position's authority would be. The CJC ABE secretary and five of the six teachers assumed the Deputy Warden was acting within the scope of the Deputy Warden position and also understood from the Deputy Warden that the CJC ABE secretary would function as a coordinator. However, the secretary was never given any additional authority. Thus, whatever authority the CJC ABE administrator/coordinator did have was hampered by the fact that the other personnel in the program were unaware of it.

The lack of administrative control is the result of the manner in which the CJC ABE program evolved and of the lack of effective management by the CJC ABE coordinator/administrator. Within any organization, authority must exist and be well defined. The CJC ABE program at Parchman lacked both. Part of the reason for this is that the program evolved as an afterthought of the CJC associate degree program at Parchman. When enrollment in the CJC associate degree program declined, DOC informed CJC that it wanted evening ABE courses in return for the annual subsidy provided to CJC. At this point, CJC made arrangements to set up the program. There was little planning or coordination with the existing ABE program at Parchman. Another reason for the lack of administrative control is that the CJC ABE administrator/coordinator failed to explain or effectively exercise the authority that did exist. The result of this lack of administrative control has been confusion and the teacher absentee problem explained in the finding beginning on page 20.

DOC employees who accepted positions as part of the CJC ABE evening program violated MISS. CODE ANN. Section 47-5-47 which prohibits DOC employees from having an interest in any DOC contract and Section 47-5-49 which requires approval by the DOC Commissioner of outside employment.

MISS. CODE ANN. Section 47-5-47 states that "*neither shall the commissioner, board members, or other officer or employee of the state correctional system be directly or indirectly interested in any contract, purchase or sale for or in behalf of or on account of the state correctional system.*" MISS. CODE ANN. Section 47-5-49 states that "*The board, in the case of the comissioner, and the commissioner in the case of any other employee shall receive prior notification and approve outside employment....*" CJC entered into an agreement with DOC whereby it would continue to provide junior college courses for an annual payment of $50,000. Later DOC informed CJC that DOC expected evening ABE courses as part of this agreement. At this point CJC hired, Dwight Presley, DOC Deputy Warden, who had been the DOC contact for the associate degree program, to be the administrator of the CJC ABE evening program. CJC compensated the Deputy Warden $3,000 per ABE term. (At the time of PEER fieldwork, CJC had paid a total of $8,000 to the Deputy Warden since the CJC ABE program began in 1985.) Presley recruited the other DOC employees who were hired to teach or act as a secretary. Thus all DOC employees who were part of the CJC program had at least an indirect interest in the contract between CJC and DOC. Furthermore, these employees failed to notify the DOC Commissioner of their outside employment.

Despite the fact that all DOC employees working for the CJC ABE evening program are in technical violation of the law, there are mitigating circumstances in the case of all employees except for the Deputy Warden. Each such DOC employee was recruited by the Deputy Warden giving the appearance of official DOC sanction. Some of the employees felt that because a Parchman Deputy Warden appearing to act in official capacity recruited them, and they were still working with an educational program at Parchman, that they were not engaging in outside employment. Even though the employees failed to give notice, their position in the program was public knowledge at Parchman. These DOC employees (with the exception of one CJC ABE teacher who obtained a flex time arrangement) performed clearly identifiable tasks for CJC after their normal DOC working hours for a fair

wage. In addition, none of the employees was in a position to use their influence within DOC to benefit the CJC programs and their interest therein.

In the case of the Deputy Warden who served as administrator for the CJC ABE program, the conflict of interest is much greater. Prior to the creation of the CJC ABE evening program the Deputy Warden was in charge of handling all DOC responsibilities with regard to the CJC associate degree program at Parchman. The duties as CJC ABE administrator were very similar to those the Deputy Warden was performing as part of the capacity as Deputy Warden with DOC and were usually performed during the normal 8 a.m. to 5 p.m. working hours. These duties naturally fall within the duties performed as Deputy Warden at Parchman. Secondly, the Deputy Warden not only failed to give the DOC commissioner notice of outside employment, or to inform most of those involved with the program, but failed to inform PEER during interviews on the subject until specifically asked about monetary compensation which had been received. In addition to this, the Deputy Warden's wife is Vice-President for Institutional Advancement at CJC. Thirdly, as noted in the finding beginning on page 21, the CJC ABE program suffered because the Deputy Warden failed to exercise managerial responsibility for which he received compensation. Furthermore, in February 1988 the Deputy Warden made a written proposal to the DOC Commissioner to significantly increase the funding and scope of the CJC educational programs at Parchman. Although PEER found no impropriety by the Deputy Warden's wife, given all the circumstances, the Deputy Warden has a clear conflict of interest.

Recommendations

1. The portion of the subsidy to CJC which is for the evening ABE program should be allocated to the DOC-ABE program which should administer evening classes and see that all teachers are present and performing duties and are employees of DOC.

2. The Commissioner of Corrections should direct his staff to take appropriate disciplinary action against department employees who violated department policies and state law, as documented in this report.

3. The Department of Corrections should direct the two teachers who were paid $363 and $231 respectively for hours they failed to work to repay these funds to the State Treasurer for restoration to the general fund.

4. The Department of Corrections should direct the Deputy Warden in violation of MISS. CODE ANN. Sections 47-5-47 and 47-5-49 to repay the

$8,000 compensation (and any further compensation received after PEER fieldwork ended) received from Coahoma Junior College to the State Treasurer to be restored to the state general fund. Due to the mitigating circumstances of this matter, the department should warn all other Parchman employees involved in the CJC ABE program and require them to end their outside employment. In addition, the Ethics Commission should review the potential violations of conflict of interest laws and take appropriate action.

5. The PEER Executive Director should provide a copy of this report to the Mississippi Attorney General for appropriate action.

AGENCY RESPONSE

MISSISSIPPI
DEPARTMENT OF CORRECTIONS

723 N. President St. Jackson, Miss. 39202-3097 Phone (601) 354-6454

CHARLES J. JACKSON
Interim Commissioner

August 10, 1988

Mr. John Turcotte, Director
PEER Committee
P. O. Box 1204
Jackson, MS 39215-1204

Dear John:

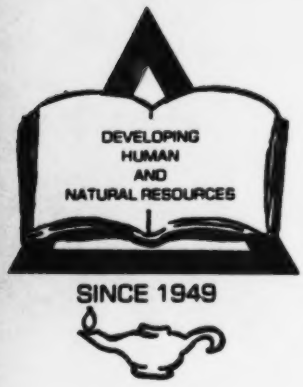
After reviewing PEER's draft report titled "An Investigation of the Mississippi Department of Correction's Educational Programs," I have nothing additional to add. We have discussed its contents with key staff and upon James Barber's recommendations, we will take no action until the release of the final report. Once the report is released, the Mississippi Department of Corrections will take every step to assure that all staff comply with Sections 47-5-47, 47-5-49 and our own policy and procedures.

Sincerely,

Charles J. Jackson
Commissioner

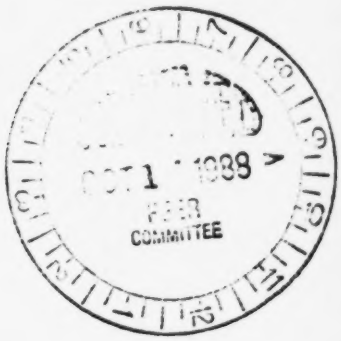
CJJ-RDM:ib

c: Senator Bunky Huggins
Senator Robert Crook
Representative Ed Jackson
Don Cabana
John Grubbs
Bob Martin
Edgar Joor



COAHOMA JUNIOR COLLEGE
AND AGRICULTURAL HIGH SCHOOL
OFFICE OF THE PRESIDENT
Route 1 – Box 616
CLARKSDALE, MISSISSIPPI 38614

DR. McKINLEY C. MARTIN
President



October 13, 1988

Mr. John W. Turcotte, Director
PEER Committee
Central High Legislative Services Building
Post Office Box 1204
Jackson, Mississippi 39215-1204

Dear Mr. Turcotte:

Attached is a revised response to the Draft Report and Executive Summary of An Investigation of the Mississippi Department of Corrections' Educational Program as it relates to Coahoma Junior College. The Executive Summary and the College's Response were presented to the Coahoma Junior College Board of Trustees at its regular meeting held on Monday, August 8, 1988 on the college campus.

If you desire, you may confer with the President and staff at the College and/or the Board Attorney.

Respectfully,

McKinley C. Martin
PRESIDENT

McKCM:hlj

Attachment

CONTENT

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II. RESPONSE TO CHARGES AND RECOMMENDATIONS------

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B. Section II ----------

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ROSEDALE COMMUNITY WORK CENTER ----------

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PUBLICATION/NEWS CLIPPINGS ----------

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INTRODUCTION

The Background section of the PEER investigation is very much incomplete. Coahoma ran a program for approximately fifteen (15) inmates placed at the Restitution Center in Greenwood. It is the understanding of Coahoma Junior College that two (2) junior colleges refused the program. (See attached report, Leflore County Restitution Center) The College presently runs a program for the Work Release Center in Rosedale. Both of these programs that were not mentioned in PEER's report are done without any financial support other than the subsidy that we had received via the appropriation process until Mr. Tip Lumpkin decided to stop it in March of this year.

Coahoma realizes that the Parchman student is different but hardly can we visualize a student being so different that he/she would demand investigations about employees who worked in a program that was offering rehabilitating services to them.

It is hard to understand that an investigation that, we assumed and was led to believe, was a fact finding mission only selected to report facts that would cause an unfavorable view of the services the College has rendered to Parchman. The determinations that the College provided very fine services were not made by college staff. The College has been applauded from the Governor's Office downward for

the wonderful services we were providing. The College has also been applauded by the media both local and non-local for its innovative program at Parchman. We were further astonished and disappointed that with the unlimited resources availabe to PEER that graduates and their families and professors who taught our senior college transfers were not interviewed relative to the quality of our instruction.

In the pages that follow the College admonishes the concerned objective reader to look at the breath and depth of services provided three hundred ninety-two (392) students in the A.A. program. Further, think of the lift that the more than 200 ABE/GED students received. Remember, Coahoma alone provided these services for Parchman when no one gave us support. (See January 31, 1978 article). Even as late as last year when the Junior College Board did a new allocation formula that gave greater support to part-time students, the Parchman students were lifted from the formula and are the only students in the system that are a part of the old formula. Efforts should be made to talk with the Greenwood Restitution Center Inmates who could only complete that contract with the state because, Coahoma, after they were allegedly turned down by two (2) other junior colleges, provided the cooperation needed for this new and innovative idea.

The only guide we had for program operations was the

attached letter dated October 6, 1977 from Dr. Michael F. Whiddon. We have simply operated in good faith with all involved. We received no negative feedback of any substance until we received copies of two (2) Memoranda from Mr. Tim Lumpkin refusing to allow payment to the College that had been appropriated for the College and should have been released to the College. Somehow, related to Mr. Lumpkin's refusal to pay us was a motion made by Senator Bunky Huggins to not appropriate funds to Coahoma Junior College for fiscal 1989 and a subsequent call from Mr. Chris Evans that said he was coming to investigate us.

The objective readers should realize the problem being caused this institution by the attack made in PEER's report when all we are guilty of was providing good services to a group that could not afford them.

PEER should be advised that Coahoma cooperated with Parchman when they were in trouble with the Federal Courts to provide more rehabilitation services in lieu of punitive services to inmates. No other college at that time wanted the job.

Those who wish to present Coahoma in a negative view and those who have the power to allow this to happen or not happen should think of how allowing such penalties to be suffered by an institution trying to help may endanger programs DOC wants in the future. I am sure this is not what fair minded Mississippians want. Should this program

be lost for lack of funding, criticisms will not stop with Coahoma, and those in authority will probably find it difficult to find a willing replacement.

RESPONSE TO CHARGES AND RECOMMENDATIONS

RESPONSE TO CHARGES AND RECOMMENDATIONS

1. CHARGE:

Coahoma Junior College should not automatically charge late, activity, and publication fees to Parchman inmate program participants. CJC should charge all inmate participants either as full-time day or, in the alternative, all as full-time night students.

RESPONSE:

The College did improperly charge inmates late registration, activity and insurance fees, but appropriately charged publication fees.

PEER investigators knew prior to leaving the campus, and said as much in their report, that this item was basically caused by the automatic electronic data system and had not been followed through manually to be debugged. The publication fee was a justified charge. Parchman students did receive yearbooks and student publications and from time to time appeared in both. The year in which they did not receive a yearbook, no yearbook was published. Students who had paid for yearbooks, when a final transaction took place were given credit or checks for the amount they had paid. With the Parchman students, this may not have taken place since there were no money payment involved. One of the student publications sponsors told PEER investigators that the former Dean of Continuing Education, the late Joel Davis, did pick up student publications and carried them to the Parchman students. During the period in question, Coahoma Junior College has had five (5) fiscal officers in five (5) years. Incorrect billing is possible even when all employees are trained and well experienced on their jobs. When the normal cadre of students make a complaint relative to bills, if the student is correct, the entry is corrected or adjusted on the spot. Since, again, the Parchman students did not complain, we did not detect the overbillings. It is very important to note that Coahoma Junior College completely rejects the PEER assertion that the overcharges were intended to "distort" while the undercharges were an acceptable oversight.

The reader is humbly requested to read Section I of Response to An Investigation of the Mississippi Department of Correction Educational Program which

details exact charges for the period PEER selected to report and the facts in the records refute absolutely the charges made by PEER.

2. CHARGE:

The U. S. Department of Education should audit CJC's inmate associate degree program participant accounts receivable records and direct CJC to refund overcharges made in 1987 and 1988.

RESPONSE:

CJC has not made overcharges of cost that would be of any concern to the U. S. Department of Education. Read the attached report entitled Response to An Investigation of The Mississippi Department of Correction Educational Programs - Section II.

3. CHARGE:

DOC should solicit requests for proposals from interested state college/universities and junior colleges for programs at its facilities. These proposals should detail the various aspects of the program proposal and the total amount that the institution must receive to conduct the program. The proposal should then specify how much of the program cost will be paid from federal grants, state college funding formulas, and any additional money DOC would need to pay to accept the proposal.

RESPONSE:

This recommendation infers that Coahoma's involvement with DOC programs be terminated. The Vice President for Instruction and Community Service Programs, the President, and the Board concur. If this, in fact, is the objective of PEER. The reader should not assume that this concurrance by any means suggest agreement with either PEER's tentative conclusion or mythodology.

A phone call from the person speaking with authority who no longer wants this college's cooperation would have had the same affect without the media sensation

of a PEER report. The Dean of Continuing Education, the Vice President for Instruction and Community Service Programs, the President and the Board all feel that if any institution, public, private or proprietary wishes to make comparable sacrifices that Coahoma has made in direct cost, time, and now this effort by someone, we applaud that institution.

4. CHARGE:

The colleges or junior colleges which DOC programs should determine the courses to be offered at the DOC facilities early enough to ensure that textbooks are available for inmate program participants at the beginning of each semester.

RESPONSE:

Coahoma has always planned the program at Parchman well ahead of time. That is the reason why forty (40) students stayed within their curriculum and in the program have already received Associate of Arts degrees. The data presented for the determination made by PEER, as the investigators were told on the first day of their visit, was taken during a period when we were without a division administrator for continuing education. The divisional dean was killed in July and a replacement had not been found when school opened. This accounted for the failure to get textbooks in a timely manner during the fall of 1987. It was November before a new dean was employed. This new dean did not know that the classes had to be re-registered at Parchman since they were self-contained which caused the late registration in the spring.

An other statement or conclusion about Coahoma's failure to deliver books to students is either deliberate or accidental error. The schedule shows where the dean actually spent up to 40% of his time with the Parchman students. He taught up to two (2) classes per semester and made sure all their other institutional related needs were accommodated. This included getting their pictures in student publications and getting the publication to the students. Also, he was involved in getting pictures and stories into other printed media, the television and radio media.

RESPONSE TO AN INVESTIGATION

OF

THE MISSISSIPPI DEPARTMENT OF CORRECTIONS

EDUCATIONAL PROGRAMS

SECTION I

RESPONSE TO AN INVESTIGATIVE REPORT
CONDUCTED BY THE
MISSISSIPPI LEGISLATIVE PEER COMMITTEE
OF THE
COAHOMA JUNIOR COLLEGE PROGRAM AT
MISSISSIPPI DEPARTMENT OF CORRECTION AT
PARCHMAN

It is the intent of this report to respond to the PEER Committee's investigation of alledged overcharges by Coahoma Junior College of parchman inmates enrolled for the school years 1985-86, 1986-87 and 1987-88. Although our response is being submitted without being able to review, in detail specific student accounts as reviewed by the committee, we have reviewed records of what should be the same student records. Our review addresses alledged overcharges for tuition, student insurance, late fees, off-campus fees, and book charges, Pell Grants and SEOG awards as they relate to the PEER Committee's statement:

> "CJC improperly charged at least $23,250 in late registration, activity, insurance and publication fees and undercharged at least $15,720 in tuition to inmate program participants in the last three school years."

Whereas, there is some evidence that there were charges made improperly, namely: late fees and insurance for 1987-88, they were made as a result of computer charges based on students being enrolled at Coahoma Junior College in at least 12 semester credit hours per semester. The computer was not programmed to specifically identify parchman students but any student carrying 12 semester hours. We intend to show that although these charges were made, the net undercharges exceeded the overcharges and CJC sustained a much

greater loss in charges now presumably to be unrecoverable since the period for filing for federal funds for the years in question have expired. The following pages list specific charges and undercharges, by years, by areas mentioned in the Committee's investigation.

CHARGES NOT APPLIED
1985-86

Off Campus Charges	$ 3,168	(90 students at $33 each)
Tuition Undercharges	6,050	($275 vs $330/12 hrs credit= $55/participants x 110 participant)*
Registration Fee	2,442	(111 participants x $22 each)
Pell Grants Not Applied	13,860	(44 participants at $315 each)
	$25,520	

QUESTIONED COST

Late Fees	$ 2,508	(114 participants at $22 each)
Activity Fee	2,610	(116 participants at $22.50)
	$ 5,118	

TOTAL CUMULATIVE CHARGES
FOR ALL ENROLLEES FOR
TWO SEMESTERS - 1985-86

TOTAL ALL CHARGES	FEDERAL AWARDS	DIFFERENCE
$45,175.22	$23,862.00	$21,313.22

*Note: Total participants include the number of times an inmate was enrolled - one or two semesters. In some instances they are counted twice if they were enrolled both semesters.

CHARGES NOT APPLIED
1986-87

Off-campus Fees	$ 4,130.00	(118 participants x $35 each)
Tuition Undercharges	6,180.00	($300 vs #360/12 hrs credit $60/participant. $60 x 103 participants)*
Registration Fee	2,900.00	(116 participants x $25 each)
Pell Grant Not Applied	13,860.00	(42 participants at #315 each one at $270 and two at $180. Total credits carried for a semester reviewed make for difference in award amount)
	$27,090.00	

QUESTIONED COST

Late Fees	$ 2,650.00	(106 participants at $25 each
Activity Fee	2,800.00	(112 participants at $25 each

TOTAL CUMULATIVE CHARGES FOR ALL ENROLLEES FOR TWO SEMESTERS - 1986-87

TOTAL ALL CHARGES	FEDERAL AWARDS	DIFFERENCE
$44,632.21	$23,307.00	$21,325.21

*Note: Total participants include the number of times an inmate was enrolled - one or two semesters. In some instances they are counted twice if they were enrolled both semesters.

CHARGES NOT APPLIED
1987-88

Off-campus Charges	$ 35.00	(one participant at $35)
Tutition Undercharges	6,060.00	($300 vs $360/12 hrs credit = $600/participant. $60 x 101 participants)*
Registration Fee	2,700.00	(108 participant at $25 each)
Pell Grants Not Applied	15,750.00	(50 participants x $315 each)
	$24,545.00	

QUESTIONED COST

Late Fees	2,900.00	(115 participants at $25 each)
Student Insurance	1,678.95	(91 participants at $18.45 each)
SEOG Award	6,600.00	
	$11,178.95	

TOTAL CUMULATIVE CHARGES FOR ALL ENROLLEES FOR TWO SEMESTERS - 1987-88

TOTAL ALL CHARGES	FEDERAL AWARDS	DIFFERENCE
$51,842.44	$26,675.00	$25,167.44

*Note: Total participants include the number of times an inmate was enrolled - one or two semesters. In some instances they are counted twice if they were enrolled both semesters.

SECTION II

SECTION II

We believe that the facts underlying the process of determining financial aid awards for Parchman students do not support the PEER Committee's charge that Coahoma Junior College overcharged inmate students in order to improperly keep federal grant money. The facts, likewise, do not support the implication that Coahoma Junior College overcharged inmate participants "illegitimate fees" to increase federal funds to the college.

An examination of the process by which federal financial aid funds flow to Coahoma Junior College is the first step. Colleges are initially granted eligibility to participate in student financial assistance programs authorized by Title IV of the Higher Education Act of 1965 as amended through execution of a document known as the Program Participation Agreement. After this document has been signed by the college president and a representative for the Secretary of Education, the college is considered eligible for federal aid. The programs are generally classified into three broad categories: Pell Grant; campus-based (Supplemental Educational Opportunity Grant or SEOG, College Work Study or CWS and Perkins Loans); other federal loans.

Students complete application forms from certified need analysis agencies to determine eligibility for all federal funds. Upon receipt of the results of that application (the Student Aid Report or SAR), the student will submit them to the school's financial aid office. The SAR is used to determine eligibility for the Pell Grant and other federal funds. The specific details used in calculating the Pell Grant for inmate participants will be discussed later. After determination of a specific amount of Pell Grant by the college's financial aid office, the U. S. Department of Education is notified. The appropriate amount of money is later sent through the federal cash management system to the

college. Thus, the specific amount of Pell Grant that a student receives is a function of the cost for the student. The allowable costs are spelled out in the federal regulations.

The campus-based funds are allocated to and controlled by the college. This is in contrast to the Pell Grant funds which are keyed to individual students. These campus-based funds are awarded to institutions through a complex formula. Generally speaking, the total of amount of funds by program needed by the entire country is calculated. For example the total amount of SEOG needed by the nation for 1988-89 is $5,851,069,438. The institution's undergraduate need is determined by dividing total undergraduate tuition and fees for the previous program year by the total number of undergraduates. For 1988-89 Coahoma Junior College's undergraduate need is calculated at 3,082,536. From this total, the college's Pell Grant and State Student Incentive Grant awards are subtracted to give an institutional SEOG need. Coahoma Junior College's 1988-89 SEOG need is $1,634,237. The school's SEOG need relative to the entire country's SEOG need is determined by dividing the institution's SEOG need by the nation's institutional SEOG need. A series of other steps are executed to give each college its proper share of the SEOG funds relative to the amount of money appropriated by Congress. A total of $408,415,000 was appropriated by Congress for 1988-89 for the entire nation.

The 1988-89 calculations for Coahoma Junior College appear as follows:

A.	CJC 1988-89 Undergraduate Need	$3,082,536
	Less: 1987-88 Pell Awards	1,430,559
	1987-88 SSIG Awards	17,740
	CJC 1988-89 Institutional SEOG Need	$1,634,237

B.	CJC 1988-89 Institutional SEOG Need	$1,634,237
	1988-89 National SEOG Need	$5,851,069,438
	= CJC 1988-89 Relative SEOG Need =	.0002793
C.	Total National SEOG Funds, 1988-89	$408,415,000
	X CJC 1988-89 Relative SEOG Need	X .0002793
	1988-89 Fair Share SEOG =	$ 114,070
	for Coahoma Junior College	

The figures above have been obtained from the 1988-89 final funding worksheet for the SEOG program for Coahoma Junior College. This sheet was produced and distributed by the U. S. Department of Education.

It is obvious that the sheer magnitude of the numbers involved requires a huge alteration in the college's need in order to increase the college's fair share of SEOG. Let us assume however, that we intend to overstate certain charges for inmate participants in order to obtain additional SEOG. We will assume that we have 65 inmate participants in our program and that we will "improperly" include the following charges in their costs:

D.	Late registration fee $25/sem. X 2 sem. =	$50.00
	Activity Fee $25.00/sem. X 2 sem. =	$50.00
	Insurance Fee $18.45/sem. X 2 sem. =	$36.90
	Total "Improper" Fees/ year/ inmate	$136.90
	X Inmate Participants	X 65
	Total "Improper" Fees/ year	$8,898.50
E.	CJC 1988-89 Undergraduate Need	$3,082,536
	+ "Improper" Fees/year	8,899
	"Improper" 1988-89 Undergraduates Need	$3,091,435

F.	"Improper" 1988-89 Undergraduate Need	$3,091,435
	Less: 1987-88 Pell Awards	1,430,559
	1987-88 SSIG Awards	17,740
	"Improper" 1988-89 Institutional SEOG Need	$1,643,136

G.	"Improper" 1988-89 CJC Institutional SEOG Need	$1,643,136
	1988-89 National SEOG Need	$5,851,069,438
	"Improper" CJC 1988-89 Relative SEOG Need =	.0002808

H.	Total National SEOG Funds 1988-89	$408,415,000
	X "Imporper" CJC Relative SEOG Need	X .0002808
	"Improper" 1988-89 Fair Share = SEOG for CJC	$114,694

I.	"Improper" CJC Fair Share SEOG	$114,694
	Actual CJC Fair Share SEOG	114,070
	"Improper" SEOG due to "Improper" Costs	$ 624

It is obvious from this illustration that inclusion of improper fees for inmate participants has a minimal effect upon the college. In actuality, such a distortion of the numbers, if it were to take place at all, would not have any effect upon the amount of SEOG received. Under the provisions of the base year guarantee, we are guaranteed 100% of what we received in the base year, 1985-86. Therefore our actual allocation of SEOG for the year is $163,580.

Therefore, the implication that we intentionally overcharged inmate participants to receive federal SEOG which we were not entitled to is not supported by the facts. Supplemental Educational Opportunity Grants

(SEOG) were awarded to the inmate participants at the discretion of the college because we recognized that sufficient funds were not available to cover expenses for books and supplies. This decision was proper within the federal guidelines and within the accepted principle of treating all students equitably.

It has been charged that improper charges were made to increase the Pell Grants of inmate participants. This is not supported by the details of Pell Grant calculation. The PEER investigative report acknowledges that the overcharges are due, at least in part, to computer system weaknesses. This is certainly true in the case of late registration and insurance fees. These errors are easily correctable with respect to specific inmate accounts. In an accounting sense, they represent an error of less than one half of one percent of all assessed tuition and fees.

However neither the degree of error nor the ease of correction have any bearing with respect to the Pell Grant. Regulations regarding the determination of tuition and fees for all students are codified in Title 34 of the Code of Federal Regulations Part 690.52. Regulations regarding incarcerated students are specifically treated in 34 CFR 690.56.

The regulations state that in order for tuition fees to be included in the Pell Grant cost of attendance they must:

1) be mandatory for all students or charged to all students within a certain class of study or charged to a certain group of students;

2) accrue to the institution for services performed directly by the institution and not passed on to a third party;

3) not be for items which should be covered under the miscellaneous expense allowance.

With specific regard to incarcerated students, the regulations state that the only items considered as part of the Pell Grant cost of attendance

are the actual or average full-time tuition and fees charged for an academic year, plus a $150 allowance for books and supplies. It is specifically stated in the Dear Colleague Letter from the U. S. Department of Education dated, February, 1979, p. 4 that no allowance for room and board or miscellaneous expenses be included for incarcerated individuals for whom 50 percent or more of the room and board expenses are provided.

We believe that our determination of the Pell Grant costs of attendance and the subsequent calculation of the Pell Grant award conform strictly to those guidelines.

Inmate participants have had their costs determined exactly as they would be if they were off campus students. We consider them equivalent categories of students except that their housing arrangements and ability to choose between day and evening classes are different. The following cost components have been included:

Matriculation Fee, $30/sem. hr. X 24 sem. hrs./yr.	$720
Registration Fee, $25/sem. X 2 sem.	50
Off-Campus Fee, $35/sem. X 2 sem.	70
Activity Fee, $25/sem. X 2 sem.	50
Publication Fee, $50	50
Total Fees for Year	$940

The reason for including the matriculation, registration and off-campus fees is obvious. We believe that the reason for including the activity fee, in the context past policy at least, is proper. The College considers the activity and publication fees to be mandatory fees charged to all full-time students. Full-time students are those students who are enrolled in at least twelve hours of coursework per semester without regard to day or evening status or to the state's full-time or part-time

classification for funding purposes. As such, all students pay a mandatory fee. We consider the publication fee to be a legitimate fee on the further ground that the items covered by the fee can be considered as minor items which reinforce the total rehabilitative process. They can be construed to encourage the inmates to become a productive member of society. In addition, publications were disseminated to the inmate participants in a manner consistent with that used for all other students. Finally, we believe that the Department of Corrections' acceptance of the fee structure throughout the life of the program to date implied their approval of our line of thinking.

An allowance of $150 for books was the next item added to the Pell Grant cost of attendance budget. Nothing was added for room and board or miscellaneous expenses. The total Pell Grant cost of attendance budget for incarcerated students was $1,090 per year for the 1986-87 and 1987-88 academic years. The total budget for the 1985-86 year was $1009 due to lower rates during that period. Under federal guidelines it is permissible to award these amounts as maximum aid to the inmates. Any money exceeding these figures would be considered an overward.

The next task is to determine the specific amount of Pell Grant for these cost categories. This is done using the Pell Grant Full Time Payment Schedule published by the U. S. Department of Education. We find the cost of education along the left edge of the schedule. We take the Student Aid Index from the inmate participants Student Aid Report (SAR) and find it along the top edge of the schedule. The scheduled grant award appears in the cell where the appropriate row and column intersect. This amount was $630 for each of the three years involved.

We believe that these calculations were made properly within the framework of the appropriate federal regulations. They have likewise been properly documented.

We acknowledge, however, that the PEER Committee's investigative team's finding that the activity fee be considered an improper charge to be a reasonable complaint. We believe also however, that the converse argument is an equally valid one and perhaps more appropriate. Where are the activity programs specifically developed for the inmate participants?

However, the inclusion or exclusion of the activity fee is really a moot issue. Exclusion of the $50 per year only reduces the total cost to $1,040. It does not change cells on the payment schedule. Therefore the adjusted Pell award is exactly the same as the original award, $630.00. The difference lies in the fact that we could only give each inmate a maximum amount of $1,040 instead of $1,090. The total amount of money awarded to inmates receiving Pell Grant and SEOG funds was $930 per year; less than the maximum allowable amount.

We believe that the foregoing analysis has clearly shown that there was absoultely no improperly obtained federal aid funds at Coahoma Junior College. The determination of all aid amounts falls strictly within federal guidelines. In case of the allowability of the activity fee, it makes no bearing on the specific amount of Pell Grant or SEOG funds awarded. We further believe that any Department of Education audit of our progrmas as a result of this investigation is unwarranted. Our programs have been regularly audited in accordance with federal regulations. Those audits have been reviewed by the U. S. Department of Education.

PELL GRANT FULL-TIME PAYMENT SCHEDULE
For Determining Scheduled Awards for the 1987-88 Award Period
April 1987

	Student Aid Index																			
	0 TO 0	1 TO 100	101 TO 200	201 TO 300	301 TO 400	401 TO 500	501 TO 600	601 TO 700	701 TO 800	801 TO 900	901 TO 1000	1001 TO 1100	1101 TO 1200	1201 TO 1300	1301 TO 1400	1401 TO 1500	1501 TO 1600	1601 TO 1700	1701 TO 1800	1801 TO 1900	1901 TO 9999
Cost of Education																					
0- 299	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
300- 399	210	210	200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
400- 499	270	270	270	200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
500- 599	330	330	330	300	200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
600- 699	390	390	390	390	300	200	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
700- 799	450	450	450	450	400	300	200	0	0	0	0	0	0	0	0	0	0	0	0	0	0
800- 899	510	510	510	510	500	400	300	200	0	0	0	0	0	0	0	0	0	0	0	0	0
900- 999	570	570	570	570	570	500	400	300	200	0	0	0	0	0	0	0	0	0	0	0	0
1000-1099	630	630	630	630	630	600	500	400	300	200	0	0	0	0	0	0	0	0	0	0	0
1100-1199	690	690	690	690	690	690	600	500	400	300	200	0	0	0	0	0	0	0	0	0	0
1200-1299	750	750	750	750	750	750	700	600	500	400	300	200	0	0	0	0	0	0	0	0	0
1300-1399	810	810	810	810	810	810	800	700	600	500	400	300	200	0	0	0	0	0	0	0	0
1400-1499	870	870	870	870	870	870	870	800	700	600	500	400	300	200	0	0	0	0	0	0	0
1500-1599	930	930	930	930	930	930	930	900	800	700	600	500	400	300	200	0	0	0	0	0	0
1600-1699	990	990	990	990	990	990	990	990	900	800	700	600	500	400	300	200	0	0	0	0	0
1700-1799	1050	1050	1050	1050	1050	1050	1050	1050	1000	900	800	700	600	500	400	300	200	0	0	0	0
1800-1899	1110	1110	1110	1110	1110	1110	1110	1110	1100	1000	900	800	700	600	500	400	300	200	0	0	0

EVENING ADULT BASIC EDUCATION PROGRAM

COAHOMA JUNIOR COLLEGE
EVENING ADULT BASIC EDUCATION PROGRAM AT PARCHMAN

The cooperative efforts of Coahoma Junior College with the Mississippi State Penitentiary has made possible the expansion of educational resources to offenders. By providing eligible offenders junior college classes leading to an associate degree in general education, Coahoma Junior College paved the way for modern rehabilitative efforts at Parchman.

After initiating the junior college program, it was realized that even greater need existed at Parchman for resources in primary education since it is reported that the illiteracy rate of approximately 70% existed among the nearly 4000 inmates incarcerated.

Therefore, recognizing the annual decline in student enrollment in college classes, an agreement was reached with Coahoma Junior College to assist in expanding Adult Basic Education resources to Parchman.

During the later part of 1984, Governor Bill Allain expressed an interest in seeing the educational resources of Parchman improved and expanded. Consequently, a task group of prison staff was created by Commissioner Morris Thigpen to assess the educational needs of Parchman and to offer recommendations on increasing educational resources for offenders.

Following the needs assessment, two basic

recommendations were made which included building new facilities for inmate educational programs and expanding existing training resources by offering more classes in the facilities at Parchman.

The Department of Correction was unable to receive funding during fiscal year '85 to fulfill the recommendations of the task group and therefore the prison coordinator of the junior college program sought assistance from Coahoma Junior College in implementing expanded educational resources for the prison.

Fortunately during the school year of 1985-86, Coahoma Junior College provided Parchman the first opportunity for Evening Adult Education classes by paying two (2) of Parchman's A.B.E. instructors to teach Adult Education two nights weekly for a one hundred-fifty (150) hour cycle.

The idea of offering Evening Adult Basic Education classes was born after recognizing the fact that the prison already had in place evening vocational education classes through Mississippi Delta Junior College. Nine of Parchman's vocational instructors were employed through Mississippi Delta Junior College to conduct evening classes four hours nightly for four nights weekly.

The success of the first Adult Education Evening Classes was so great that efforts were made to further expand the initiative. Again, Coahoma Junior College was

approached by the Prison's Coordinator and an agreement was made to provide the prison with six (6) slots for Evening Adult Basic Education classes.

School year 1986-87 at Parchman was expanded with six (6) Evening Adult Basic Education classes along with provisions for a coordinator and a secretary utilizing current Parchman employees.

This plan was praised by the prison and the commissioner as innovative and creative and expanded by 33% the educational resources to the inmates.

As an even further expansion of the educational efforts, the prison's coordinator made arrangements with the Mississippi Authority for Educational Television to incorporate instructional Television (ITV) into the Adult Educational Program. ETV respresentatives met with the coordinator on several occasions and provided both hardware and software resources for the Parchman effort.

These educational initiatives added at minimum ninty (90) students to Adult Basic Education classes at a ratio of fifteen (15) students per class during the evening sessions. ITV software and hardware added learning resources to the classroom and provided a potential greater expansion of rehabilitative resources to the prison offenders.

These expanded educational resources for prisoners through Coahoma Junior College have received praise from

within the Prison system as well as through many occasions of media coverage.

There is absolutely no doubt that the expanded educational resources available at Parchman could not have taken place without the involvement of these two community resources, Coahoma and Mississippi Delta Junior Colleges. More than 300 inmates are provided educational training annually through a combination of evening adult education, vocational and junior college classes.

The success of the current junior college program at Parchman has led to efforts in creating senior level college courses for inmates and staff.

The information on the foregoing page regarding the PEER investigation report on the Coahoma Junior College Evening Adult Basic Education Program at Parchman has been presented herein since it was conspicuously and obviously left out of the draft report of the staff.

Coahoma Junior College expresses deep concern to the statement included in the report regarding the Deputy Warden's interest. In a documented report, dated 24 March 1988, that the PEER had access to, the Deputy Warden clearly outlines an "Educational Enhancement ..." program that was educationally and professionally sound. There was not a need for PEER to make the inference they did relative to this proposal.

Further, Dr. Vivian Presley, a Coahoma Junior College employee, is uninvolved and should not be mentioned in the report. This statement is predicated on someone's feeling or some feelings someone intends to generate and motivate media persons to look for sensationism in reports rather than the facts.

We ask that if PEER has any concerns for fair play that the philosophical judgement of the project manager, or staff analyst, or whoever is the individual (s) that hold (s) veto power over what is released, spare no efforts in removing those individual judgements. Institutional management is tough. It is unimaginable that we be subjected to penalities predicated on any team of individuals sent to our campus and decide "rights" and "wrongs" predicated on personal beliefs and opinions.

ADDITIONAL SUPPORTING DOCUMENTATION FOR THE AGENCY RESPONSE

IS AVAILABLE FOR REVIEW IN THE PEER OFFICES DURING REGULAR OFFICE HOURS